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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,045	09/20/2001	Charles Alexander Grant	2660.01	4672
7590	09/08/2004		EXAMINER	
Charles A. Grant Hotmath.com Inc. 18 Sunset Drive Kensington, CA 94707			HARRIS, CHANDA L	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/961,045	GRANT, CHARLES ALEXANDER
	<b>Examiner</b>	<b>Art Unit</b>
	Chanda L. Harris	3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 September 2001.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-16 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Objections***

Claim 11 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to the other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-10 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by**

**Dickmeyer et al. (US 6,413,100).**

1. [Claim 1]: Regarding Claim 1, Dickmeyer discloses specifying, through a web-browser pointing to a web-site, one or more problems that are publicly available from sources other than said web-site; retrieving, for said problems, one or more hints (e.g., template solutions) helping students to arrive at intermediate or final steps for arriving at a solution; and retrieving one or more intermediate or final steps for arriving at a solution. See Col.8: 21-26 and Col.18: 37-46.

2. [Claim 2]: Regarding Claim 2, Dickmeyer is capable of having wherein said problems are available in article or quiz published in a newspaper or magazine.
3. [Claims 3-4, 7]: Regarding Claims 3-4 and 7, Dickmeyer discloses wherein said problems are available in a text book, wherein said text book is an engineering text book. See Col.8: 31-34.
4. [Claims 5-6]: Regarding Claims 5 and 6, Dickmeyer is capable of having wherein said text book is a junior high-school level text book and a high-school level text book.
5. [Claims 8-10]: Regarding Claims 8-10, Dickmeyer discloses wherein each said problem is associated with one or more hints (e.g., template solutions), wherein each said step is associated with one or more hints, and wherein each said step may have one or more possible subsequent steps and Col.18: 37-46.
6. [Claim 13]: Regarding Claim 13, Dickmeyer is capable of having wherein said hints and said steps are authored by subject matter tutors utilizing state of the art personal computers.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickmeyer in view of Miles et al. (US 6,102,406).**

[Claims 14-15]: Regarding Claims 14 and 15, Dickmeyer does not disclose expressly wherein said hints and said steps (i.e., information needed to answer a question) are publicly available from sources other than said web-site and wherein each web-page presented using a said web-browser may contain banner ads (i.e., advertisements). However, Miles discloses such in Col.4: 26-30, 36-40. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Dickmeyer, in light of the teaching of Miles, in order to entice participants to visit a site.

**Claims 11-12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dickmeyer.**

[Claims 11-12,16]: Regarding Claims 11-12 and 16, Dickmeyer does not disclose expressly wherein each said step and said hint is associated with a student level metrics, wherein the mapping from hints and steps to subsequent hints and steps

depends on the student's level as recorded by the student's profile. However, such is old and well known in the art. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Dickmeyer in order to provide an adaptive method and system for aiding a user.

***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Erickson (US 5,902,114)  
-formulation of math problems

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Chanda L. Harris*  
Chanda L. Harris  
Examiner  
Art Unit 3714

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